

(1390 REV. 5-93) US DEPT. OF COMMERCE PATENT &amp; TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER  
105

**TRANSMITTAL LETTER TO THE  
UNITED STATES  
DESIGNATED/ELECTED OFFICE  
(DO/EO/US) CONCERNING A FILING  
UNDER 35 U.S.C. 371**

U.S. APPLICATION NO.  
(if known, sec 37 C.F.R.1.5)  
09/446,024

INTERNATIONAL APPLICATION NO.  
PCT/FR98/01442

INTERNATIONAL FILING DATE  
July 6, 1998

PRIORITY DATE CLAIMED  
July 7, 1997

## TITLE OF INVENTION

Endogenous Retroviral Sequences, Associated with Autoimmune Diseases or with Pregnancy Disorders

•APPLICANT(S) FOR DO/EO/US  
Frederic BESEME et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A small entity statement.
16. ☒ Other items or information: Submission of Substitute Declaration

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		INTERNATIONAL APPLICATION NO. PCT/FR98/01442		ATTORNEY'S DOCKET NUMBER 105045	
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17. <input type="checkbox"/> The following fees are submitted:  <b>Basic National fee (37 CFR 1.492(a)(1)-(5)):</b>  Search Report has been prepared by the EPO or JPO.....\$840.00  International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$670.00  No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$690.00  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$970.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ 96.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS</b>		<b>PTO USE ONLY</b>	
<b>Surcharge of \$130.00 for furnishing the oath or declaration later than</b> <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$			
Claims	Number Filed	Number Extra	Rate				
Total Claims	20 - 20 =		X \$ 18.00	\$			
Independent Claims	3 - 3 =		X \$ 78.00	\$			
Multiple dependent claim(s)(if applicable)			+ \$260.00	\$			
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$			
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$			
<b>SUBTOTAL =</b>				\$			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)).				\$			
<b>TOTAL NATIONAL FEE =</b>				\$			
				Amount to be refunded	\$		
				Charged	\$		

  

a. ☐ Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 15-0461. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:  
 OLIFF & BERRIDGE, PLC  
 P.O. Box 19928  
 Alexandria, Virginia 22320

NAME: William P. Berridge  
 REGISTRATION NUMBER: 30,024  
  
 NAME: Thomas J. Pardini  
 REGISTRATION NUMBER: 30,411

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Frédéric BASEME et al.

Application No.: 09/446,024

Filed: December 16, 1999

Docket No.: 105045

For: ENDOGENETIC RETROVIRAL SEQUENCES, ASSOCIATED WITH  
AUTOIMMUNE DISEASES OR WITH PREGNANCY DISORDERS

**SUBMISSION OF SUBSTITUTE DECLARATION**

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

Submitted herewith is a fully executed Substitute Declaration of the Inventors.  
Entry of this document should resolve any informalities in the original Declaration.

It is respectfully submitted that no additional fees are required for the substitute  
Declaration. However, the Commissioner is hereby authorized to charge any additional fee  
associated with this communication to deposit account number 15-0461.

Respectfully submitted,



William P. Berridge  
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JAO:TJP/epb  
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